

information regarding notice of any claim or notice of any instance in which a customer or employee was injured at the Office Depot store in question within the

past ten (10) years; the date and nature of the claim; the name, address, and telephone number of the person so complaining; the name, address, and telephone number of the employee or other person responsible causing the injury [sic]; and whether the incident resulted in injury to any person.

Plaintiff's "Memorandum ... in Support ..." at 1 (document #29-1). Plaintiff is entitled to responses to all discovery requests reasonably calculated to lead to the discovery of admissible evidence. Fed. R. Civ. P. 26(b)(1). The parties disagree on the temporal scope of Defendant's responses and whether Defendant must produce information about any incidents occurring inside its store.

For the reasons stated in Plaintiff's briefs, the Court concludes that Defendant must produce information pertaining to incidents occurring inside as well as outside the store. For the reasons set forth in Defendant's brief, production will be limited to a five (5) year period and to slip and fall and/or trip and fall incidents only.

**NOW THEREFORE, IT IS ORDERED:**


1. Plaintiff's "Motion to Compel" (document # 29) is **GRANTED IN PART** and **DENIED IN PART**. Within fifteen days of the date of this Memorandum and Order, Defendant shall provide full and complete responses, as discussed above, to Interrogatory #2 and Interrogatory #3 of Plaintiff's First Set of Interrogatories.

2. The parties shall bear their own costs at this time.

3. The Clerk is directed to send copies of this Order to counsel for the parties, and to the Honorable Graham C. Mullen.

**SO ORDERED.**

Signed: October 18, 2013



David S. Cayer  
United States Magistrate Judge

